

# Berger Montague, P.C.

ATTORNEYS AT LAW

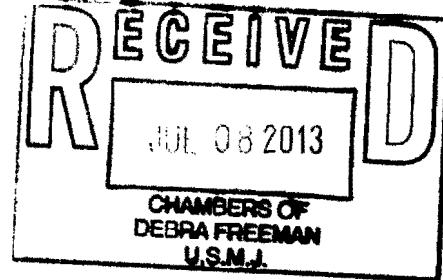
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July 3, 2013



### By FedEx Overnight Delivery

The Honorable Victor Marrero  
 United States District Judge  
 Southern District of New York  
 Daniel Patrick Moynihan U.S. Courthouse  
 500 Pearl Street  
 New York, New York 10007-1312

The Honorable Debra Freeman  
 United States Magistrate Judge  
 Southern District of New York  
 Daniel Patrick Moynihan U.S. Courthouse  
 500 Pearl Street  
 New York, New York 10007-1312

**Re: *Dodona I, LLC v. Goldman, Sachs & Co., et al.***  
**10 Civ. 7497 (VM)(DCF) (S.D.N.Y.)**

Dear Judge Marrero and Judge Freeman:

We represent lead plaintiff Dodona I, LLC (“Plaintiff”). We write on behalf of Plaintiff and all defendants, including Goldman, Sachs & Co., The Goldman Sachs Group, Inc., Peter L. Ostrem, and Darryl K. Herrick (collectively, “Defendants” and together with Plaintiff, the “Parties”), to jointly request that the Court enter the attached Stipulation and Proposed Order (Exhibit 1) and Second Revised Case Management Plan and Scheduling Order (Exhibit 2).

By way of background, the Court’s original Civil Case Management Plan and Scheduling Order dated June 4, 2012 (the “Original Scheduling Order”) (Dkt. 89) set a fact discovery deadline of March 14, 2013 and also set forth other major scheduling dates through summary judgment, including a deadline of October 19, 2012 for Plaintiff to file its motion for class certification. By Order on September 28, 2012 (Dkt. 94), Judge Freeman approved a 60 day extension of the deadline for Plaintiff to file its motion for class certification, and Plaintiff filed its motion for class certification on December 17, 2012 (Dkt. 107). On March 7, 2013, the Parties submitted to Judge Marrero and Judge Freeman their joint proposed Revised Case Management Plan and Scheduling Order, which proposed to extend the deadline for the completion of fact discovery to July 29, 2013 and to set a July 31, 2013 deadline for Plaintiff to file its reply in further support of its motion for class certification. On March 14, 2013, after a telephonic conference with the Parties, Judge Marrero signed the Parties’ March 7, 2013 letter

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(Dkt. 112). On March 18, 2013, Judge Freeman entered the Revised Case Management Plan and Scheduling Order (Dkts. 113, 114).

The Parties respectfully request that the Court enter the attached Stipulation and Proposed Order and Second Revised Case Management Plan and Scheduling Order, which extend the deadlines for the completion of fact discovery and for Plaintiff's reply in further support of its motion for class certification to September 16, 2013.

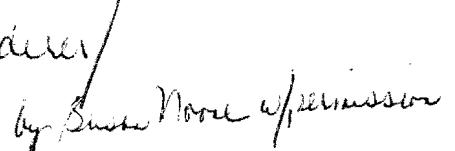
In accordance with Judge Marrero's Individual Practices at § I.F and Judge Freeman's Individual Practices at § I.E, we note that the Parties previously requested one extension of the fact discovery deadline, which was granted. For the Court's convenience, we are submitting the Proposed Second Revised Case Management Plan and Scheduling Order in both clean and redline formats (with the redline version reflecting the proposed changes to the Revised Case Management Plan and Scheduling Order entered on March 18, 2013).

We are prepared to provide any additional information the Court may request.

Respectfully,



Lawrence J. Lederer



by Susan Novek w/ permission

Enclosures

cc via email and FedEx Overnight: Counsel for All Parties